

## STATEMENT OF BASIS (AI No. 149858)

for draft Louisiana Pollutant Discharge Elimination System permit No. LA0123790 to discharge to waters of the State of Louisiana.

**THE APPLICANT IS:** Donald Farms, Inc.  
907 Cheniere Drew Road  
West Monroe, LA 71291

**ISSUING OFFICE:** Louisiana Department of Environmental Quality (LDEQ)  
Office of Environmental Services  
Post Office Box 4313  
Baton Rouge, Louisiana 70821-4313

**PREPARED BY:** Molly McKean

**DATE PREPARED:** March 25, 2008

### 1. PERMIT STATUS

#### A. Reason For Permit Action:

First time issuance of a Louisiana Pollutant Discharge Elimination System (LPDES) permit for a 5-year term.

B. NPDES permit - NPDES permit effective date: N/A  
NPDES permit expiration date: N/A

C. LPDES permits – LPDES permit effective date: N/A  
LPDES permit expiration date: N/A

D. Date Application Received: February 1, 2008

### 2. FACILITY INFORMATION

#### A. FACILITY TYPE/ACTIVITY -

Donald Farms' West Monroe facility is an alligator farm raising approximately 20,000 animals ranging in size from eggs to 5.5 feet in length. Washwaters from the pens and the feed carts and sanitary wastewaters are treated by a 3-cell oxidation pond system prior to discharge.

#### B. FEE RATE

1. Fee Rating Facility Type: minor
2. Complexity Type: I
3. Wastewater Type: II
4. SIC code: 0279

C. LOCATION – 907 Cheniere Drew Lane, West Monroe, Ouachita Parish  
Latitude 32° 32' 24", Longitude 92° 14' 43"

Statement of Basis for  
Donald Farms, Inc.  
LA0123790, AI No. 149858  
Page 2

### 3. OUTFALL INFORMATION

Outfall 001

Discharge Type: washdown water from the alligator pens and feed carts, and sanitary  
wastewater

Treatment: 3-cell oxidation pond system

Location: at the point of discharge from the 3<sup>rd</sup> cell of the pond system, prior to  
mixing with any other waters

Flow: 50,000 GPD

Discharge Route: an unnamed creek via local drainage; thence into North Cheniere Creek;  
thence into Cheniere Brake

### 4. RECEIVING WATERS

STREAM - an unnamed creek via local drainage; thence into North Cheniere Creek; thence  
into Cheniere Brake Lake

BASIN AND SEGMENT - Ouachita River Basin, Subsegment 080802

DESIGNATED USES - a. primary contact recreation  
b. secondary contact recreation  
c. propagation of fish and wildlife

### 5. TMDL STATUS

Subsegment 080802, Cheniere Brake Lake, is listed on LDEQ's Final 2006 303(d) List as impaired for dissolved oxygen/low DO (EPA Category 5) and mercury. To date no TMDLs have been completed for these impairments. TMDLs were completed in this basin in 2001. The dissolved oxygen/low DO and mercury impairments have been added subsequent to the original TMDL development. A reopener clause will be established in the permit to allow for the requirement of more stringent effluent limitations and requirements as imposed by a TMDL. Until completion of TMDLs for these impairments, those suspected causes for impairment which are not directly attributed to the alligator farming point source category have been eliminated in the formulation of effluent limitations and other requirements of this permit. Additionally, suspected causes of impairment which could be attributed to pollutants which were not determined to be discharged at a level which would cause, have the reasonable potential to cause or contribute to an excursion above any present state water quality standard were also eliminated. This facility is not expected to cause or contribute to the mercury impairment. This facility does have the potential to contribute to dissolved oxygen/low DO impairment. Limitations on CBOD<sub>5</sub> and Ammonia-N are established in the permit.

### 6. PROPOSED EFFLUENT LIMITS

BASIS - See Rationale below.

Statement of Basis for  
Donald Farms, Inc.  
LA0123790, AI No. 149858  
Page 3

## **7. COMPLIANCE HISTORY/COMMENTS**

### **A. OEC –**

January 9, 2008 – An inspection was conducted in response to a complaint that the farm was polluting an unnamed branch of North Cheniere Creek. The creek had a strong odor and green slime was present along the bank as well as brown fat film in the water.

October 1, 2007 – An inspection was conducted in response to a complaint. The facility was discharging without a permit and was referred to enforcement.

### **B. DMR Review/Excursions –**

This is an initial permit. There are no DMRs on file to date.

## **8. ENDANGERED SPECIES**

The receiving waterbody, Subsegment 080802 of the Ouachita Basin, is not listed in Section II.2 of the Implementation Strategy as requiring consultation with the U.S. Fish and Wildlife Service (FWS). This strategy was submitted with a letter dated October 24, 2007 from Boggs (FWS) to Brown (LDEQ). Therefore, in accordance with the Memorandum of Understanding between the LDEQ and the FWS, no further informal (Section 7, Endangered Species Act) consultation is required. The effluent limitations established in the permit ensure protection of aquatic life and maintenance of the receiving water as aquatic habitat. Therefore, the issuance of the LPDES permit is not likely to have an adverse effect on any endangered or candidate species or the critical habitat.

## **10. HISTORIC SITES**

The discharge is from an existing facility location, which does not include an expansion on undisturbed soils. Therefore, there should be no potential effect to sites or properties on or eligible for listing on the National Register of Historic Places, and in accordance with the "Memorandum of Understanding for the Protection of Historic Properties in Louisiana Regarding LPDES Permits" no consultation with the Louisiana State Historic Preservation Officer is required.

## **11. STORM WATER POLLUTION PREVENTION PLAN (SWP3) REQUIREMENT**

As per LAC 33:IX.2511.B.14.a-k, storm water discharges from facilities classified as SIC code 0279 are not considered to be associated with industrial activities. Therefore, and SWP3 is not included in the permit.

## **12. TENTATIVE DETERMINATION**

On the basis of preliminary staff review, the Department of Environmental Quality has made a tentative determination to issue a permit for the discharge described in the application.

Statement of Basis for  
Donald Farms, Inc.  
LA0123790, AI No. 149858  
Page 4

### **13. PUBLIC NOTICES**

Upon publication of the public notice, a public comment period shall begin on the date of publication and last for at least 30 days thereafter. During this period, any interested persons may submit written comments on the draft permit and may request a public hearing to clarify issues involved in the permit decision at this Office's address on the first page of the statement of basis. A request for a public hearing shall be in writing and shall state the nature of the issues proposed to be raised in the hearing.

Public notice published in:

Local newspaper of general circulation

Office of Environmental Services Public Notice Mailing List

Statement of Basis for  
Donald Farms, Inc.  
LA0123790, AI No. 149858  
Page 5

### Rationale for Donald Farms, Inc.

1. **Outfall 001** - washdown water from alligator pens and feed carts and sanitary wastewater (estimated flow is 50,000 GPD)

Pollutant	Discharge Limitations		Reference
	Monthly Avg (mg/L)	Daily Max (mg/L)	
Flow (GPD)	Report	Report	LAC 33:IX.2707.1.1.b
CBOD <sub>5</sub>	25	40	(*1), (*3)BPJ
TSS	90	135	(*4), (*3), BPJ
Fecal Coliform colonies/100 ml	200	400	(*2), (*3), BPJ
Ammonia –Nitrogen	20	30	BPJ, (*3)
pH	6.0 s.u. minimum	9.0 s.u. maximum	BPJ, (*2), (*3)

**Treatment:** three-cell oxidation pond

**Monitoring Frequency:** Quarterly for all parameters (BPJ; similar permits)

#### Limits Justification:

40 CFR 451 does not apply to alligator farming operations.

Flow: Flow reporting is required by LAC 33:IX.2707.1.1.b.

CBOD<sub>5</sub>, TSS: Limits are based on secondary treatment standards in LAC 33:IX.5905, BPJ, and similar, permitted facilities.

Fecal Coliform, pH: Limits are based on numerical criteria specified in LAC 33:IX.1113.C, BPJ, and similar, permitted facilities. The discharge from this facility is into a water body which has a designated use of Primary Contact Recreation and Secondary Contact Recreation. According to LAC 33:IX.1113.C.5, the fecal coliform standards for this water body are 200 colonies/100 ml and 400 colonies/100 ml. The above fecal coliform limits are proposed through BPJ in order to ensure that the water body standards are not exceeded. Existing facilities have demonstrated an ability to comply with these limitations using presently available technology.

Ammonia-Nitrogen: Limit is based on similar, permitted facilities through BPJ. It has been included to prevent ammonia toxicity in the receiving stream.

(\*1) LAC 33:IX.5905

(\*2) LAC 33:IX.1113.C

(\*3) LA0102512, LA0111236 (permits for similar facilities)

(\*4) Class I Sanitary General Permit

BPJ Best Professional Judgement

su Standard Units

GPD Gallons per Day